

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DENNIS RAY BROCK,

Plaintiff,

v.

3:05-cv-351

BOBBY GIBSON and BARBARA ROGERS,

Defendants.

MEMORANDUM AND ORDER

This is a *pro se* prisoner's civil rights action brought pursuant to 42 U.S.C. § 1983. Because the defendants failed to respond to the complaint and plaintiff had not moved for entry of judgment by default, plaintiff was ordered to show cause why this action should not be dismissed without prejudice for failure to prosecute. In response to the show cause order, plaintiff moved for entry of default against the defendants. The defendants then filed their answer to the complaint. Under the circumstances, plaintiff's motion for entry of default is **DENIED**. The matter will be set for trial.

E N T E R:

s/ Thomas W. Phillips
United States District Judge